

**AGENDA**



<b>RCA</b>	Austin City Council	<b>Item ID</b>	5165
<b>Meeting Date:</b>	4/21/2011	<b>Department:</b>	Planning and Development Review

Subject

Set a Public Hearing to consider an ordinance amending Chapter 25-2 of the City Code to (1) allow the City Council or the Land Use Commission to initiate a single zoning case for multiple non-contiguous properties if those have interim zoning or are unzoned, and (2) waive zoning application fees for one year from the time of annexation for properties where the interim zoning does not permit the existing use. (Suggested date and time: June 9, 2011, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).

Amount and Source of Funding

Fiscal Note

<b>Purchasing Language:</b>	
<b>Prior Council Action:</b>	
<b>For More Information:</b>	Jackie Chuter 974-2613; Sylvia Arzola 974-6448; Carla Johnson 974-6438
<b>Boards and Commission Action:</b>	To be reviewed by Planning Commission on May 24, 2011.
<b>MBE / WBE:</b>	
<b>Related Items:</b>	

Additional Backup Information

Upon annexation, properties are assigned an interim zoning designation in accordance with Section 25-2- 222 of the City Code. Currently, nearly 14,000 acres of property in Austin carry an interim zoning designation. The acreage of land with interim zoning continues to increase due to annexation. Land Development Code Section 25-2-243 requires that the property within a proposed zoning district be contiguous. Therefore, to zone of all this property under current rules would require the initiation of hundreds of zoning cases. The proposed code amendment will allow the City Council, Planning Commission, or Zoning and Platting Commission to initiate a zoning case including multiple non-contiguous properties that have interim zoning or are unzoned. The code amendment is limited to the initial zoning of property, and does not apply to rezoning.

Property owners who request zoning of non-contiguous properties must continue to file separate applications as required under the current code and pay the zoning fee. Currently, the City Council often waives application fees for

annexed territory upon the request of property owners, but it is on a case by case basis. The waivers are then written into the annexation ordinances. Under the code amendment, the application fees would be waived for one year following the effective date of annexation for properties smaller than 25 acres with existing or planned uses that become nonconforming after annexation and the application of initial zoning.

This code amendment will help the City achieve the land use goals in the comprehensive plan by facilitating the zoning of property for the most appropriate use.